

By Barrientos

S.B. No. 1315

A BILL TO BE ENTITLED

AN ACT

relating to continuing education requirements for air conditioning and refrigeration contractors.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 4B, Air Conditioning and Refrigeration Contractor License Law (Article 8861, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 4B. CONTINUING EDUCATION REQUIREMENTS [PROGRAMS].

(a) The commissioner by rule shall [may] recognize or adopt [~~prepare,--or--administer~~] continuing education programs for licensees. Participation in the programs is mandatory for renewal of a license issued under this Act [voluntary].

(b) A license holder is not required to participate in continuing education until the second anniversary of the date the license holder was initially licensed under this Act. A license holder required to participate in continuing education must annually provide proof to the commissioner that the license holder in the preceding year has attended eight classroom hours of continuing education courses approved by the commissioner.

(c) The commissioner by rule, with the advice of the advisory board, may permit the substitution of relevant education experience for classroom attendance. The substituted experience must be approved by the commissioner. For purposes of this section, relevant education experience includes participation in

1 correspondence courses, manufacturer training, trade association
2 workshops or seminars, chapter meetings, and supervised video
3 instruction.

4 (d) Continuing education courses or relevant education
5 experience approved by the commissioner may cover technical,
6 business, safety, or legal aspects of air conditioning and
7 refrigeration contracting.

8 (e) The commissioner may not require an examination under
9 this section except for approval of a correspondence course or a
10 continuing education course offered by an alternative delivery
11 system, including by computer.

12 (f) The commission shall adopt fees for continuing education
13 providers in amounts reasonable and necessary to administer this
14 section.

15 (g) A person seeking to provide a continuing education
16 program must meet the requirements adopted by rule of the
17 commissioner. An applicant that meets the requirements and that is
18 approved by the commissioner may provide continuing education
19 programs until the second anniversary of the date the provider's
20 application was approved. A provider may reapply to the
21 commissioner to act as a provider for additional two-year periods.

22 SECTION 2. (a) This Act takes effect September 1, 1997.

23 (b) The commissioner of licensing and regulation shall adopt
24 rules and the Texas Commission of Licensing and Regulation shall
25 adopt fees under this Act not later than January 1, 1998.

26 (c) Notwithstanding Section 4B(b), Air Conditioning and
27 Refrigeration Contractor License Law (Article 8861, Vernon's Texas

1 Civil Statutes), as added by this Act, a person who holds a license
2 under that Act on the effective date of this Act is not required to
3 fulfill continuing education required under that section to renew
4 the license before September 1, 1999.

5 SECTION 3. The importance of this legislation and the
6 crowded condition of the calendars in both houses create an
7 emergency and an imperative public necessity that the
8 constitutional rule requiring bills to be read on three several
9 days in each house be suspended, and this rule is hereby suspended.

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MAR 13 1997

MAR 18 1997

Filed with the Secretary of the Senate

**INTERNATIONAL RELATIONS,
TRADE & TECHNOLOGY**

Read and referred to Committee on

Reported favorably

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by:

{ unanimous consent
____ yeas, ____ nays

Read second time, _____, and ordered engrossed by:

{ unanimous consent
a viva voce vote
____ yeas, ____ nays

Senate and Constitutional 3 Day Rule suspended by a vote of ____ yeas, ____ nays.

Read third time, _____, and passed by:

{ A viva voce vote
____ yeas, ____ nays

SECRETARY OF THE SENATE

OTHER ACTION:

Engrossed

Sent to House

Engrossing Clerk _____

Received from the Senate

Read first time and referred to Committee on _____

Reported ____ favorably (as amended) (as substituted)

Sent to Committee on (Calendars) (Local & Consent Calendars)

Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote) (record vote of ____ yeas, ____ nays, ____ present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend) by a vote of ____ yeas, ____ nays, ____ present, not voting.

Read third time (amended); finally passed (failed to pass) by a (non-record vote) (record vote of ____ yeas, ____ nays, ____ present, not voting)

Returned to Senate.

Returned from House without amendment.

Returned from House with ____ amendments.

Concurred in House amendments by a viva voce vote ____ yeas, ____ nays.

CHIEF CLERK OF THE HOUSE

_____ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

_____ Senate conferees instructed.

_____ Senate conferees appointed: _____, Chairman; _____
_____, _____, and _____

_____ House granted Senate request. House conferees appointed: _____, Chairman;
_____, _____, _____

_____ Conference Committee Report read and filed with the Secretary of the Senate.

_____ Conference Committee Report adopted on the part of the House by: _____

{ a viva voce vote
_____ yeas, _____ nays

_____ Conference Committee Report adopted on the part of the Senate by:

{ a viva voce vote
_____ yeas, _____ nays

OTHER ACTION:

_____ Recommitted to Conference Committee

_____ Conferees discharged.

_____ Conference Committee Report failed of adoption by: _____

{ a viva voce vote
_____ yeas, _____ nays